

House Bill 148

By: Representatives Lucas of the 139th, Burkhalter of the 50th, and Lewis of the 15th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 46-5-134 of the Official Code of Georgia Annotated, relating to
2 billing, collection, and use of emergency "911" telephone charges, so as to provide that local
3 governments shall make periodic reports to the Georgia Emergency Management Agency of
4 amounts collected and expended; to provide for local government refunds to telephone
5 subscribers of any amounts improperly expended; to provide for administrative penalties for
6 late or improper reports; to provide for related matters; to provide for an effective date and
7 applicability; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 46-5-134 of the Official Code of Georgia Annotated, relating to billing,
11 collection, and use of emergency "911" telephone charges, is amended by adding at its end
12 a new subsection (k) to read as follows:

13 "(k)(1) Each local government collecting or expending any "911" charges or wireless
14 enhanced "911" charges in any fiscal year beginning on or after July 1, 2005, shall make
15 an annual report of its collections and expenditures to the Georgia Emergency
16 Management Agency. The purpose of such report shall be to verify the local
17 government's compliance with the expenditure requirements of this Code section. Such
18 report shall be in such form and shall be due at such time as shall be prescribed by rule
19 or regulation of the Georgia Emergency Management Agency.

20 (2) Any local government which makes expenditures not in compliance with this Code
21 section may be held liable for pro rata reimbursement to telephone subscribers of amounts
22 improperly expended. Such liability may be established in judicial proceedings by any
23 aggrieved party or by the Georgia Emergency Management Agency in administrative
24 proceedings commenced on the initiative of the Georgia Emergency Management
25 Agency.

1 (3) Any local government which fails to file a timely and proper report as required by
2 this Code section shall be subject to an administrative penalty, to be imposed by the
3 Georgia Emergency Management Agency, not to exceed \$1,000.00 for each day such
4 report is delinquent."

5 **SECTION 2.**

6 This Act shall become effective on July 1, 2005, and shall apply with respect to charges
7 remitted to local governments on or after that date.

8 **SECTION 3.**

9 All laws and parts of laws in conflict with this Act are repealed.